

U.S. Department of Labor

Occupational Safety and Health Administration
1851 Executive Center Drive
Suite 227
Jacksonville, FL 32207
Phone: 904-232-2895 Fax: 904-232-1294



Citation and Notification of Penalty

To:

Pilgrim's Pride Corporation
19740 U.S. Highway 90
Live Oak, FL 32060

Inspection Number: 1122733**Inspection Date(s):** 02/01/2016 - 03/28/2016**Issuance Date:** 07/21/2016**Inspection Site:**

19740 U.S. Highway 90
Live Oak, FL 32060

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type “OSHA” and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will process the payments as if these restrictions or conditions do not exist.

Notification of Corrective Action – For each violation which you do not contest, you must provide *abatement certification* to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that *abatement documentation* is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an

employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 07/21/2016. The conference will be held by telephone or at the OSHA office located at 1851 Executive Center Drive, Suite 227, Jacksonville, FL 32207 on _____ at

_____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1122733

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060
Issuance Date: 07/21/2016

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 1851 Executive Center Drive, Suite 227, Jacksonville, FL 32207**

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

Signature

Date

Typed or Printed Name

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

Citation 1 Item 1 Type of Violation: **Serious**

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which was free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that the employer delayed evaluation, care, and/or treatment from a medical provider, which could result in health hazards such as, but not limited to, increased risk of further injury, prolonged healing, exacerbation of pain, and limited recovery from work-related injuries/illnesses that required medical treatment and for failing to take appropriate steps to ensure injured employees were adequately protected from the workplace conditions which could delay healing or exacerbate the injury:

a. On or about February 1, 2016 and at times prior, throughout the processing plant, the employer failed to make timely appropriate medical referrals for employees with injuries related to chronic and acute exposures and incidents, heavy lifting and persistent and continuous pain in the upper extremities to prevent the development and/or minimize the severity of musculoskeletal disorders (MSDs). The employees are exposed to ergonomic risk factors such as but not limited to rapid and repetitive hand and wrist motions, repetitive heavy lifting, forceful hand exertions, static postures and cold temperatures. The employees are also exposed to injuries which include burns, loss of consciousness, and blunt-force trauma which require appropriate evaluation and treatment.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Among other methods, feasible and useful methods of correction would include, but are not limited to:

1) Consult with a physician who is Board Certified in Occupational Medicine to evaluate the medical management program and make recommendations concerning structure; staffing, supervision, documentation, medical directives/protocols, and evaluation/quality assurance; 2) Enhance onsite medical management screening and assessment to assure appropriate identification of symptoms associated with potential early-stage musculoskeletal disorders or, actual musculoskeletal disorders, or traumatic injuries to allow for early and appropriate medical interventions and/or job modifications (such as increased recovery time; rotation to tasks using other muscle groups, different forces or actions, alternate or improved tools, workstation modification); 3) Ensure that healthcare providers



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

instructions and work restrictions for injured employees shall be followed by plant supervision to prevent progression of injury and allow healing; 4) Provide ergonomics training on the specific risk factors in poultry processing for onsite occupational health staff and provide accurate ergonomic assessments for each line position that medical staff may use to identify appropriate or job modification to prevent progression of injury; 5) Conduct an annual (at a minimum) review of trends in the nurses log and recommend changes in the protocol based on the trends; 6) Educate hourly employees on early recognition of MSD symptoms and encourage reporting of signs and symptoms; 7) Review Florida State law regarding nursing and paramedic scopes of practice and other requirements to ensure that the staffing and practices of their Occupational Health Services meet legal requirements; 8) The medical directives/protocols should be updated to meet current standards of medical care and should be regularly reviewed by the Occupational Medicine physician at least annually. Specific issues to be addressed include: a) Early referral to a physician or other higher level provider for definitive evaluation and treatment of injuries; b) In cases where the First Aid Room (FAR) staff determines that a worker does not need immediate physician evaluation, the worker should be evaluated by a physician within a few days, particularly if symptoms continue and/or positive examination findings are present. c) Decrease in the use of NSAIDs for pain treatment and consideration of other pain medications, such as acetaminophen as medically appropriate; d) Education of workers on adverse effects of NSAIDs and any other medication being provided in the FAR; 9) Translation services should be provided by an outside professional medical translation service to prevent language being a barrier to care; 10) OSHA 300 logs, first aid logs and other medical records, such as workers compensation records, should be regularly evaluated for the purpose of identifying workplace hazards, instituting interventions to reduce hazards and evaluating the effectiveness of the interventions. The occupational medicine consultant should participate in this review; 11) Training of the Occupational Health Services staff, supervisors and workers should be conducted to include: a) Identification of musculoskeletal symptoms related to ergonomic hazards; b) Early reporting of musculoskeletal symptoms, injuries, and illnesses; c) Effective communication approaches to encourage early reporting; 12) Occupational Health Service staff should review documentation standards for both licensed practical nurses (National Federation of Licensed Practical Nurses, Inc's Nursing Practice Standards, 2003; National Association for Practical Nurse Education and Service, Inc's Standards of Practice, 2007) and paramedics (Florida Department of State, Administrative Code, Emergency Medical Services: Rule 64J-1.0032009 and Emergency Medical Services: Rule 64J-1.014) and ensure that all assessments, treatments, and evaluations provided in the FAR are recorded and complete.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1122733
Inspection Date(s): 02/01/2016 - 03/28/2016
Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

Date By Which Violation Must be Abated:
Proposed Penalty:

09/07/2016
\$7000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

Citation 1 Item 2 Type of Violation: **Serious**

OSH ACT of 1970 Section 5(a)(1): Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to slip and fall hazards while carrying heavy objects using portable stepladders:

- a. On or about February 1, 2016, in the evisceration area, the employer did not ensure that portable ladders were used properly, in that employees carrying heavy objects with one hand could not maintain a firm hold on the ladder, exposing them to fall hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Among other methods, feasible and acceptable means of abatement include, but are not limited to the following:

1. To perform a job hazard analysis of the task.
2. To ensure that employees do not handle heavy objects while ascending or descending portable ladders, as referenced in ANSI A14.5 -2000, Section 9.
2. To ensure this is a two employee task, and the only task for the user of the ladder is to hand down the fan to another person on the ground.
3. To ensure a mobile scaffold, such as but not limited to a scissor lift or similar mobile scaffold, is used for this and/or similar tasks.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/16/2016
\$5500.00

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1122733
Inspection Date(s): 02/01/2016 - 03/28/2016
Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

Citation 1 Item 3 Type of Violation: **Serious**

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to a laceration and amputation hazard:

a. On or about March 18, 2016, in the evisceration area, at the right end of the heart and liver hang conveyor of the number 1 production line, employees working on and around the USDA inspection area were exposed to an amputation hazard at the in-going shear point of the conveyor and the guide plate.

Feasible means of abatement include, but are not limited to the following:

1. Installation of a guard plate or grating cover at the ingoing shear point of the conveyor and guide plate

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/16/2016
\$4400.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1122733
Inspection Date(s): 02/01/2016 - 03/28/2016
Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.22(b)(1): Aisles and passageways were not kept clear and in good repair, with no obstruction across or in aisles that could create a hazard.

a. On or about March 22, 2016, in Ammonia Engine Room #1, the upper platform by the Chiller Surge Drum had the wooden platform decking deteriorated and rotted, exposing refrigeration technicians servicing the condensers to a 12 feet fall hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/16/2016
\$7000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1122733
Inspection Date(s): 02/01/2016 - 03/28/2016
Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.37(a)(3): Exit route(s) were not kept free and unobstructed:

a. On or about March 17, 2016, between packaging lines #12 and 13, the exit route was obstructed by a diagonal metal chute that was 5ft-11in on its highest point, exposing employees to a struck-by hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5500.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1122733
Inspection Date(s): 02/01/2016 - 03/28/2016
Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 6 a Type of Violation: **Serious**

29 CFR 1910.141(a)(3)(ii): Floor(s) of workroom(s) were not maintained, so far as practical, in a dry condition:

- a. On or about March 25, 2016, in the front line area close to Evisceration, the ladies restroom had stagnant water and was always wet, exposing employees to slip and fall hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/16/2016
\$3300.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1122733
Inspection Date(s): 02/01/2016 - 03/28/2016
Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

Citation 1 Item 6 b Type of Violation: **Serious**

29 CFR 1910.141(a)(3)(iii): Floor(s), working place(s), and passageway(s) were not kept free from protruding nails, splinters, loose boards, and unnecessary holes and openings to facilitate cleaning:

- a. On or about March 16, 2016, in the knife room, the concrete floor in the working area was not even in that it had an opening measuring about 3-feet long and 6-inches in the widest section, exposing employees to trip and fall hazards.

Date By Which Violation Must be Abated:

Corrected During Inspection

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1122733
Inspection Date(s): 02/01/2016 - 03/28/2016
Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 7 a Type of Violation: **Serious**

29 CFR 1910.146(d)(1): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not implement the measures necessary to prevent unauthorized entry:

- a. On or about March 18, 2016, the entrance doors to the tunnel blast freezer were not marked with warning signs to prevent unauthorized entry into the permit required confined space containing ammonia refrigeration equipment and a sub-freezing atmosphere.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4675.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1122733
Inspection Date(s): 02/01/2016 - 03/28/2016
Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

Citation 1 Item 7 b Type of Violation: **Serious**

29 CFR 1910.146(d)(6): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not provide at least one attendant outside the permit space into which entry was authorized for the duration of entry operations:

- a. On or about March 15, 2016, at the -30 degree blast tunnel freezer, authorized entrant maintenance employees who enter the permit required confined space containing ammonia refrigeration equipment and a sub-freezing atmosphere for maintenance were not provided an outside attendant.

Date By Which Violation Must be Abated:

Corrected During Inspection

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1122733
Inspection Date(s): 02/01/2016 - 03/28/2016
Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

Citation 1 Item 7 c Type of Violation: **Serious**

29 CFR 1910.146(e)(1): Before entry was authorized, the employer did not document the completion of measures required by 29 CFR 1910.146(d)(3) by preparing an entry permit:

- a. On or about March 15, 2016, the employer did not document completion of entry permits for authorized entrant employees who entered the tunnel freezer permit required confined space containing ammonia refrigeration equipment and a sub-freezing atmosphere to perform maintenance and clear jams.

Date By Which Violation Must be Abated:

Corrected During Inspection

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1122733
Inspection Date(s): 02/01/2016 - 03/28/2016
Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

Citation 1 Item 8 Type of Violation: **Serious**

29 CFR 1910.147(c)(4)(i): Procedures were not developed, documented and utilized for the control of potentially hazardous energy when employees were engaged in activities covered by this section:

a. On or about February 2, 2016, the employer did not enforce the use of lockout/tagout procedures during sanitation work on poultry equipment with potential to release hazardous energy, exposing employees to caught-in and amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/16/2016
\$7000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1122733
Inspection Date(s): 02/01/2016 - 03/28/2016
Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

Citation 1 Item 9 Type of Violation: **Serious**

29 CFR 1910.147(c)(7)(i)(C): Employees whose work operations were in an area where energy control procedures were utilized were not instructed about the procedure:

- a. On or about February 2, 2016, in first and second processing areas, the employer did not ensure that sanitation employees were properly trained in the specific procedures for the control of hazardous energy on poultry processing equipment, exposing them to caught-in and amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/16/2016
\$7000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1122733
Inspection Date(s): 02/01/2016 - 03/28/2016
Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.178(p)(1): Powered industrial truck(s) found to be in need of repair, defective, or in any way unsafe had not been taken out of service until restored to safe operating condition(s):

a. On or about March 15, 2016, in the Live Shed Area, the Moffet forklift had a defective backup alarm, exposing employees walking through the area to struck-by hazards.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4400.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1122733
Inspection Date(s): 02/01/2016 - 03/28/2016
Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

Citation 1 Item 11 Type of Violation: **Serious**

29 CFR 1910.253(b)(4)(i): Oxygen cylinders were stored near highly combustible material, especially oil and grease; or near reserve stocks of carbide and acetylene or other fuel-gas cylinders, or near another substance likely to cause or accelerate fire; or in an acetylene generator compartment:

a. On or about March 16, 2016, in the forklift repair area, the oxygen and acetylene cylinders for a torch not used were not separated and stored at least 20 feet apart, exposing employees to a fire hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4400.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1122733
Inspection Date(s): 02/01/2016 - 03/28/2016
Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks:

- a. On or about March 17, 2016, in the Overwrap area, the OSSID #11 was missing the right side cover of the overwrap machine, exposing employees to the moving and rotating parts of the machine.
- b. On or about March 17, 2016, in the Overwrap area, the OSSID #4 had the front guarding cover of the overwrap machine broken with a hole measuring 11" long and 4" wide, exposing employees to the moving and rotating parts of the machine.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1122733
Inspection Date(s): 02/01/2016 - 03/28/2016
Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

Citation 2 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1910.334(a)(2)(i): Portable cord and plug connected equipment and flexible cord sets (extension cords) were not visually inspected before use on any shift for external defects (such as loose parts, deformed and missing pins, or damage to outer jacket or insulation) and for evidence of possible internal damage (such as pinched or crushed outer jacket):

a. On or about March 16, 2016, in the WPL Stack off Area, the Milwaukee portable band saw being used to cut metal was defective in that it was missing the ground pin, exposing employees to electrical hazards.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1122733
Inspection Date(s): 02/01/2016 - 03/28/2016
Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060

Citation 2 Item 3 Type of Violation: **Other-than-Serious**

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

a. On or about March 17, 2016, in the Overwrap area, MST employees of the second shift assigned to perform sanitation duties on OSSID overwrap machines had not being trained by the employer on the hazards associated with the chemicals they were using, exposing employees to chemical injuries and illness.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/16/2016
\$1100.00

A handwritten signature in black ink, appearing to read "Brian J. Sturtecky", written over a horizontal line.

Brian J. Sturtecky
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration
1851 Executive Center Drive
Suite 227
Jacksonville, FL 32207
Phone: 904-232-2895 Fax: 904-232-1294



INVOICE / DEBT COLLECTION NOTICE

Company Name: Pilgrim's Pride Corporation
Inspection Site: 19740 U.S. Highway 90, Live Oak, FL 32060
Issuance Date: 07/21/2016

Summary of Penalties for Inspection Number	1122733
Citation 1, Serious	\$60175.00
Citation 2, Other-than-Serious	\$1100.00
TOTAL PROPOSED PENALTIES	\$61275.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed

account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Brian J. Sturtecky

Area Director



Date